



**Part 15 Rulemaking:
Opposition to Petition for Reconsideration by the Association of Global Automakers and
the Alliance of the Automobile Manufacturers**

- ***2016 Memorandum Opinion and Order provided relief from the unnecessary stringent OOB limits adopted in the First Report & Order.***
 - EchoStar Technology LLC and Hughes Network Systems, LCC support the Commission's revised rules as adopted in the March 2, 2016 Memorandum and Order for the U-NII-3 band (5.725-5.85 GHz)¹. The revised rules provide relief from the more stringent OOB limits adopted in the First Report & Order ("First R&O").
 - In response to the First R&O several parties filed petitions for reconsideration and subsequently multiple ex parte presentations proposed alternative OOB emission requirements. An extensive record was developed, including provided technical analysis, supporting the relaxation of the stringent OOB limits from the First R&O.
- ***Petition for Reconsideration by the Association of Global Automakers and the Alliance of the Automobile Manufacturers should be denied as the overly restrictive OOB limits from the First Report & Order are not required to protect Dedicated Short Range Communications.***
 - The Petition for Reconsideration by the Association of Global Automakers and the Alliance of the Automobile Manufacturers ("Automakers") requests that the FCC reinstates the OOB limits established in the First R&O for non-fixed point-to-point devices. However, the Automakers' petition fails to present new findings or justifications why a more stringent mask is necessary. Instead, it reiterates arguments already presented in the docket and rejected.
 - The record demonstrates that the OOB limits adopted in the 2014 First R&O were overly restrictive, not needed for the protection of adjacent Dedicated Short Range Communication ("DSRC") operations and would be very costly to meet, without corresponding public benefit. Therefore, the Commission correctly revised the rules.

¹ Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5GHZ Band, Memorandum Opinion and Order, 31 FCC Rcd 2317 (2016) ("MO&O").



- The Commission found that the new U-NII-3 OOB limits provide greater interference protection than the limits prior to the adoption of the First R&O and therefore there is no need to revise them. Further, there is no evidence in the record that the millions of U-NII-3 enabled devices already in the market cause harmful interference.